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TAGS: [ELAB](#) [PGOV](#) [TD](#)

SUBJECT: T&T MINISTRY OF LABOR ON OSHA REVISIONS AND
IMPLEMENTATION

REF: 05 PORT OF SPAIN 002160

Classified By: AMB RLAUSTIN FOR REASONS 1.4 (B) AND (D)

¶1. (SBU) Poloff met with Mr. Devnath Roopnarine, Chief Inspector of the Occupational Health and Safety Division in the Ministry of Labor to discuss the implementation of the Occupational Safety and Health Act (OSHA). Roopnarine explained that the OSHA has had a long history under three different Ministers of Labor, pointing out that each minister has wanted to review the act, delaying its implementation. By way of example, Roopnarine reported that when the current Labor Minister, Danny Montano, took the portfolio, he expressed "personal concerns" over certain phrasing in the act. Montano has taken a list of proposed amendments to OSHA to the cabinet for discussion. Montano will then need Parliamentary approval for the amendments, but is optimistic that the act will be implemented by March.

¶2. (C) Roopnarine's assessment of most of the proposed revisions is that they are "not bad" and simply trade one set of concerns for another. For example, as written, the OSHA mandates that periodic inspections take place at set intervals, regardless of the type of business. Montano would have the inspection schedule based on risk assessments for each particular type and place of business. This means that lower-risk organizations would go longer between inspections, while companies in high-risk categories would have more frequent required inspections. One proposal that Roopnarine is skeptical of involves changing some of the infractions of the code from criminal violations to placing them under the rubric of "health and safety violations." This would change the punishment from jail time to a monetary fine, which, in Roopnarine's opinion, would not have the deterrent effect of prison time.

¶3. (U) Roopnarine also spoke about the bureaucratic changes that will need to take place once the OSHA is implemented. The Occupational Health and Safety Division will dramatically increase its staffing in order to cover some 27,000 workplaces, up from the 3000 they inspect now. Companies will also be given a phase-in period to come up to compliance with the act. Inspectors are already issuing advisory notices to companies informing them of the changes they will need to make to be in full compliance with the law.

¶4. (SBU) COMMENT: Until it is finally implemented, the OSHA is going to continue to be a thorn in Montano's side. The two umbrella organizations of labor unions, the Federation of Independent Trade Unions (FITUN) and the National Trade Union Centre (NATUC), have opened discussions on a nation-wide work stoppage. As reported reftel, the head of the Oilfield Workers' Trade Union has expressed readiness to call a strike over the issue. Though FITUN and NATUC parted ways over political involvement some years ago, Roopnarine pointed out

that it is very likely they will join forces on this issue, as it furthers the interests of all workers. If FITUN and NATUC do join forces, it could mean that the ruling People's National Movement will need to answer to a united workers' front as well as the United National Congress when parliamentary elections are held. END COMMENT.

AUSTIN